

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$77,802.21 SEIZED FROM FROST BANK  
ACCOUNT NO. XXXXX2556,

Defendant.

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CIVIL ACTION NO. 7:13-CV-00488

**ORIGINAL ANSWER OF SAMBRITT LLC AND YOLANDA CABRERA**

TO THE HONORABLE JUDGE OF SAID COURT:

Now Comes, Sambritt LLC and Yolanda Cabrera (collectively, “Sambritt”) and files this Original Answer to the United States’ Complaint for Forfeiture in Rem (the “Complaint”) and would respectfully show the Court the following:

1. Sambritt admits the allegation in paragraph 1 of the Complaint.
2. Sambritt admits the allegation in paragraph 2 of the Complaint.
3. Sambritt admits the allegation in paragraph 3 of the Complaint.
4. Sambritt admits the allegation in paragraph 4 of the Complaint.
5. Sambritt admits the allegation in paragraph 5 of the Complaint.
6. Sambritt admits the allegation in paragraph 6 of the Complaint.
7. Sambritt admits the factual allegations in paragraph 7 of the Complaint, but denies the validity of the action referenced.

8. Sambritt admits the allegation in paragraph 8 of the Complaint.
9. Sambritt admits the allegation in paragraph 9 of the Complaint.
10. Sambritt admits the allegation in paragraph 10 of the Complaint.
11. Sambritt admits the allegation in paragraph 11 of the Complaint.
12. Sambritt admits the allegation in paragraph 12 of the Complaint.
13. Sambritt admits the allegation in paragraph 13 of the Complaint.
14. Sambritt admits the allegation in paragraph 14 of the Complaint.
15. Sambritt admits the allegation in paragraph 15 of the Complaint.
16. Sambritt denies the allegations in paragraph 16 of the Complaint.
17. Sambritt lacks the requisite knowledge to admit or deny the allegation in paragraph 17 of the Complaint; therefore, the allegation is denied.
18. Sambritt denies the allegation in paragraph 18 of the Complaint.
19. Sambritt denies the allegations in paragraph 19 of the Complaint.
20. The remainder of the Complaint, including the sections entitled “Notice to Any Potential Claimant” and “Prayer” do not require an answer. To the extent a response is required, Sambritt denies that the relief requested is proper or justified by the facts of this case.

#### **AFFIRMATIVE DEFENSES**

21. Pursuant to 18 U.S.C. § 983(d), Sambritt asserts that he is without any knowledge of the alleged conduct giving rise to forfeiture and, therefore, is an innocent owner entitled to maintain his rightful ownership of the Property.
22. Pursuant to 18 U.S.C. § 983(g), Sambritt asserts that the forfeiture sought would be constitutionally excessive and grossly disproportional in light of the gravity of any alleged offense.

23. Sambritt believes that further and separate defenses may be or become applicable. Sambritt reserves the right to assert further defenses by way of amendment to this Answer.

**JURY TRIAL DEMAND**

24. Sambritt hereby requests a trial by jury.

**PRAYER**

WHEREFORE, Sambritt prays that upon final trial of this matter, the Plaintiff will take nothing and that judgment be found against Plaintiff. Sambritt further prays that it be awarded attorney's fees and costs associated with defending this case and that it be awarded such other relief as is just and equitable.

Dated: September 29, 2013

Respectfully submitted,

By: /s/ Gregory S. Saikin  
Gregory S. Saikin  
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ATTORNEY FOR SAMBRITT, LLC  
AND YOLANDA CABRERA

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this Verified Claim and attached Affidavit in support thereof was served upon the following counsel of record via the Court's CM/ECF system on September 29th, 2013:

Lori S. Roth  
United States Attorney's Office  
1000 Louisiana, Suite 2300  
Houston, TX 77002

/s/ Gregory S. Saikin

Gregory S. Saikin